

O R D I N A N C E
NO. 00305

An Ordinance of the King County Council providing for the improvement of 53rd Avenue South in accordance with Motion No. 109, declaring the sufficiency of the petition for said improvement, creating King County Road Improvement District No. 53, and directing the Director of the Department of Public Works to proceed with the improvement and to prepare and file a final assessment roll.

WHEREAS, Motion No. 109 was approved and passed by the King County Council on the 24th day of November, 1969, declaring the intention of the Council to order the improvement of 53rd Avenue South lying between South 348th Street and South 350th Street, by clearing, grubbing, grading, draining, ballasting, and surfacing with a light bituminous surface treatment. The improvement is to have a 38 foot wide roadway section. The improvement is to also include such other items as may be found to be incidental and necessary thereto. Motion No. 109 set the time of hearing on the above noted improvement, for January 12, 1970, and

WHEREAS, said Motion No. 49 was duly published and due Notice of Hearing was given as required by law, and

WHEREAS, the Director of the Department of Public Works has certified that the petition for this improvement, including all withdrawals therefrom and additions thereto made prior to 4:30 p.m. of the day prior to said hearing, has been signed by the owners of 60 per cent of the lineal frontage upon the improvement to be made, and 60 per cent of the area within the limits of the proposed assessment district; and that said petition conforms to the provisions of R.C.W. 36.88.010, 36.88.020, 36.88.030, and 36.88.050, and

WHEREAS, the said hearing has been held as provided in said notice, and after hearing and considering any and all written and verbal protests of the various property owners within the district, the Council has ascertained that the petition is sufficient and the plan of improvement is feasible and has determined to order the construction of said improvement, now, therefore

BE IT ORDAINED by the County Council of King County, Washington, as follows:

SECTION I: It is hereby found and declared that the petition filed for the aforesaid improvement, including all additions thereto and withdrawals therefrom made prior to 4:30 o'clock p.m. of the day before said hearing is sufficient, and it is further found that the plan of construction is feasible, and that the benefits to be derived therefrom by the property within the proposed improvement district exceed the cost and expense of the contemplated improvement.

SECTION II: There is hereby established a road improvement district in King County to be known and designated as "King County Road Improvement District No. 53", which said assessment district shall include all the property described as follows:

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Lots 16 to 30 inclusive of Block 34, and Lots 1 to 15 inclusive of Block 35, all in the Plat of Jovita Heights Addition as recorded in volume 20 of plats, page 12, records of King County, Washington. Also included shall be that portion of 53rd Avenue South lying between South 348th Street and South 350th Street.

SECTION III: 53rd Avenue South lying between South 348th Street and South 350th Street shall be improved by clearing, grubbing, grading, draining, ballasting, and surfacing with a light bituminous surface treatment. The improvement is to have a 38 foot wide roadway section. The improvement is to also include such other items as may be found to be incidental and necessary thereto.

SECTION IV: The Director of the Department of Public Works is hereby directed to call for bids for the construction of said improvement, and when a contract therefor shall have been let by King County, and exact costs are known, said Director of the Department of Public Works is further directed to prepare and file with the Clerk of the King County Council an Assessment Roll for that portion of the entire cost and expense of said improvement to be assessed against the property included in the assessment district herein before created.

SECTION V: The estimated cost and expense of said improvement is hereby declared to be approximately \$14,000. The lineal front feet of private property within the proposed district is approximately 1,200. It is the intention of the King County Council that property owners in the district be assessed at a rate of not more than \$8.75 per lineal front foot, for a total of \$10,500, and that all of the remaining portion of the cost and expense shall be borne by King County. The assessments are to be paid in cash or in 10 equal annual installments.

SECTION VI: There shall be and is hereby created in the office of the Department of Finance two funds of the County to be known and designated as "King County Road Improvement District No. 53 Construction Fund" and "King County Road Improvement District No. 53 Bond Fund" respectively.

All moneys collected by the Department of Finance upon any assessments levied for the construction of said improvement shall be placed in said Construction Fund during the thirty day period allowed for payment of such assessments without penalty or interest, and shall be placed in the said Bond Fund thereafter. Payments shall be made on the basis of the assessment roll prepared by the Director of the Department of Public Works, subject to adjustment after completion of the hearing on said roll.

The Office of Budgets and Accounts is hereby directed and authorized to issue interest bearing warrants against King County Road Improvement District No. 53 Construction Fund to pay construction costs pending the redemption of said warrants after the bond sale. The interest rate of said interest bearing warrants shall be fixed at 6 per cent per annum.

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Bonds of said improvement district bearing interest at the rate of not to exceed 8 percent per annum, payable on or before twelve years from date of issuance, shall be sold in the amount sufficient to redeem all outstanding warrants against aforesaid Construction Fund for that portion of the cost and expense of the construction of said improvement to be assessed against the property within the district after determining the amount of such assessments paid within the thirty day period allowed for payment of assessments without penalty or interest.

INTRODUCED and read for the first time this 24th day of November ~~1970~~ 1969


ADOPTED by the King County Council at a regular meeting thereof on the 12th day of January 1970.


Chairman of the King County Council

ATTEST:


Clerk of the Council

Approved this 16 day of Jan., 1970.


John B. Spellman, King County Executive

JLD/JBB:mr
12/9/69

ORDINANCE READINGS

1st. 11-24-692nd. 1-12-703rd. 1-12-70

Effective Date.....